

HOUSE BILL NO. 6

INTRODUCED BY S. BOOKOUT-REINICKE

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO THE USE OF STATE-OWNED MOTOR VEHICLES FOR OFFICIAL BUSINESS AND REIMBURSEMENT FOR PRIVATE MOTOR VEHICLE USE BY STATE OFFICERS OR EMPLOYEES; ESTABLISHING MOTOR VEHICLE MILEAGE REIMBURSEMENT FOR OTHER AUTHORIZED TRAVEL; AMENDING SECTION 2-18-503, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 2-18-503, MCA, is amended to read:

"2-18-503. Mileage -- allowance. (1) Members of the legislature, state officers and employees, jurors, witnesses, county agents, and all other persons who may be entitled to mileage paid from public funds when using their own ~~automobiles~~ motor vehicles in the performance of official duties are entitled to collect mileage for the distance actually traveled by ~~automobile~~ motor vehicle and no more unless otherwise specifically provided by law.

(2) ~~(a) When the individual a state officer or employee, INCLUDING A LEGISLATOR ON LEGISLATIVE BUSINESS, is authorized to operate a privately owned vehicle even though travel by motor vehicle, a government-owned or leased vehicle is available, a rate of 3 cents less per mile than the mileage rate allowed by the United States internal revenue service for the current year must be paid and chooses to use a privately owned motor vehicle even though a government-owned or leased motor vehicle is available, the officer or employee may be reimbursed only at the current motor pool rate for the type of motor vehicle needed~~ RATE OF 52% OF THE LOW MILEAGE RATE ALLOWED BY THE UNITED STATES INTERNAL REVENUE SERVICE FOR THE CURRENT YEAR.

~~(3)(b) When a privately owned motor vehicle is used because a government-owned or leased motor vehicle is not available or because the use is in the best interest of the governmental entity; and a notice of unavailability from the state motor pool OF A GOVERNMENT-OWNED OR LEASED MOTOR VEHICLE or a specific exemption is attached to the travel claim, then~~ a rate equal to the mileage allotment allowed by the United States internal revenue service for the current year must be paid for the first 1,000 miles and 3 cents less per mile for

1 all additional miles traveled within a given calendar month.

2 (3) Members of the legislature, WHILE TRAVELING BETWEEN THEIR RESIDENCE AND HELENA, jurors,
3 witnesses, county agents, and all other persons, except a state officer or employee, who may be entitled to
4 mileage paid from public funds when using their own motor vehicles in the performance of official duties are
5 entitled to collect mileage at a rate equal to the mileage allotment allowed by the United States internal revenue
6 service for the current year for the first 1,000 miles and 3 cents less per mile for all additional miles traveled
7 within a given calendar month.

8 (4) Members of the legislature, state officers and employees, jurors, witnesses, county agents, and all
9 other persons who may be entitled to mileage paid from public funds; when using their own airplanes in the
10 performance of official duties; are entitled to collect mileage for the nautical air miles actually traveled at a rate
11 of twice the mileage allotment for ~~automobile~~ motor vehicle travel and no more unless specifically provided by
12 law.

13 (5) This section does not alter 5-2-301.

14 (6) The department of administration shall prescribe policies necessary for the effective administration
15 of this section for state government. The Montana Administrative Procedure Act, Title 2, chapter 4, does not
16 apply to policies prescribed to administer this part."

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18 NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

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